REMARKS

Applicants acknowledge receipt of the Office Action dated August 11, 2009.

Claims **27-50** are pending in the application.

Claims **27-50** stand rejected.

Rejection of Claims Under 35 U.S.C. § 101

Claims 27-50 stand rejected under 35 U.S.C. § 101 because the claimed invention is purportedly directed to non-statutory subject matter. Specifically, page 2 of the Office Action asserts that "[t]he claimed subject matter is directed to a computer program which is software per se." Applicants respectfully disagree for at least the reason outlined below.

Claim 27 recites a computer program product that includes a data structure, a data manager, and a transformation engine, all of which are encoded on computer readable storage media. Thus, the computer program product recited by Claim 27 is not software per se (as asserted by page 2 of the Office Action), since the computer program product includes computer readable storage media, a physical component. Independent Claim 27 and all claims dependent therefrom are therefore not directed to non-statutory subject matter. Applicants therefore respectfully request that the rejection be withdrawn.

Rejection of Claims Under 35 U.S.C. § 102

Claims 27, 30-31, 41, and 50 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,640,244 to Bowman-Amuah (*Bowman*). Applicants respectfully traverse this rejection. While not conceding that the cited reference qualify as prior art, but instead to expedite prosecution, Applicants have chosen to respectfully

disagree and traverse the rejection as follows. Applicants reserve the right, for example, in a continuing application, to establish that the cited references, or other references cited now or hereafter, do not qualify as prior art as to an invention embodiment previously, currently, or subsequently claimed.

The rejection fails to meet the requirements of 37 C.F.R. § 1.104

As an initial matter, Applicants point to the *Code of Federal Regulations*, which provides:

> In rejecting claims for want of novelty or for obviousness, the examiner must cite the best references at his or her command. When a reference is complex or shows or describes inventions other than that claimed by the application, the particular part relied on must be designated as nearly as practicable. The pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified.

37 C.F.R. § 1.104(c)(2) (*Emphasis added*)

Applicants respectfully submit that the particular parts of the cited references that the Office Action has relied upon have not been designated as nearly as practicable, as required by 37 CFR § 1.104(c)(2). In particular, the Office Action does not clearly indicate where *Bowman* discloses, teaches, or suggests "a complex object, said complex object comprises a service profile, said service profile represents a complex asset." With regard to these limitations, the Office Action cites "Fig. 31, 3102, *Bowman*", but does not indicate what features of the cited element purportedly correspond to which elements within Applicants' limitations, or how such purported correspondence might be applied or interpreted. Nevertheless, Applicants have made every effort to respond to the rejections outlined by the Office Action.

Independent Claim 27 and dependent claims

As will be appreciated, "[a] ... claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegall Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Applicants respectfully submit that this burden has not been met by the Office Action because *Bowman* simply fails to disclose, teach, or even suggest the limitations of independent Claim 27, as detailed below.

For example, nothing within the cited passages of *Bowman* discloses, teaches, or even suggests the claimed "complex asset is associated with an account[.]" Pages 3 and 4 of the Office Action cites (Fig. 32, "order report writer", Bowman) and (Fig. 37, Col. 130, lines 16-25 of *Bowman*) as support for the rejection. The Office Action fails to demonstrate (or even to legitimately allege) that *Bowman* discloses that the claimed "complex asset is associated with an account" as recited in independent Claim 27, for example. The Office Action laconically points to *Bowman* as teaching "a complex asset is associated with an account (Fig. 32, 'order report writer')." Office Action, page 3. It is not clear from the text of the Office Action whether the Office Action intends the cited "order report writer" to somehow correspond to the recited account or to the recited complex asset. Given that *Bowman*'s "order report writer" cannot successfully be equated to either, the foregoing question is difficult to answer, where such answer determinative to the outcome. Nevertheless, without regard to whether the Office Action statements are an attempt to equate the cited 'order report writer' to the recited account or to the recited complex asset, the correspondence proposed by the Office Action with respect to the recited limitation that the "complex asset is associated with an account" is defective for at least two reasons.

First, two items (*i.e.*, the complex asset and the account) are recited in Claim 27 as both existing and having a specific a relationship between them (being associated). That the Office Action points to only one entity as teaching both recited elements and their relationship indicates that the Office Action has failed meet its burden to allege the presence of either one or the other, and that the recited relationship is not present in *Bowman*.

Further, Applicants respectfully submit that Fig. 32 does not contain an "order report writer." While Fig. 31 depicts a label entitled "order report writer," the phrase "order report writer" is not used in the text of *Bowman*, and no association is shown in *Bowman* between the cited "order report writer" and either a complex asset or an account. Like the phrase, "order report writer," the phrase "complex asset" is not used in the (312 columns of) text of *Bowman*. Similarly, the word "account" is not used in the description of Fig. 31 (quoted below), further militating against the notion that an account is associated with anything in Fig. 31. Given that *Bowman* does not teach (or, even more generally, suggest) an account, a complex asset, or, more specifically the recited limitation that the claimed "complex asset is associated with an account."

The "Response to Arguments" section of the Office Action (page 4) purportedly clarifies the rejection of the claimed "complex asset is associated with an account" by citing to Fig. 37, Col. 130, lines 15-25 of *Bowman*. This cited passage discusses:

> FIG. 37 shows how a Billing Business Component 3700 may create an invoice. The control logic 3702 (i.e., the sequence of steps and business rules) associated with the billing process is encapsulated within the Billing component itself. The Billing component requests services from several entity-centric Business Components, but it also triggers Fraud Analysis 3704, a process-centric Business Component, if a specific business rule is satisfied. Note that "Step 6" is performed within the Billing component itself.

However, this cited passage of *Bowman* merely indicates how a control logic is associated with a billing process encapsulated within the Billing Component. There is no disclosure, teaching, or even suggestion of the claimed "complex asset is associated with an account," as recited in independent Claim 27.

For at least the forgoing reasons, Applicants respectfully submit that *Bowman* does not anticipate Claim 27. Thus, independent Claim 27 and all claims dependent therefrom are patentable over *Bowman*. Applicants therefore respectfully request that the rejection be withdrawn.

Dependent Claim 50

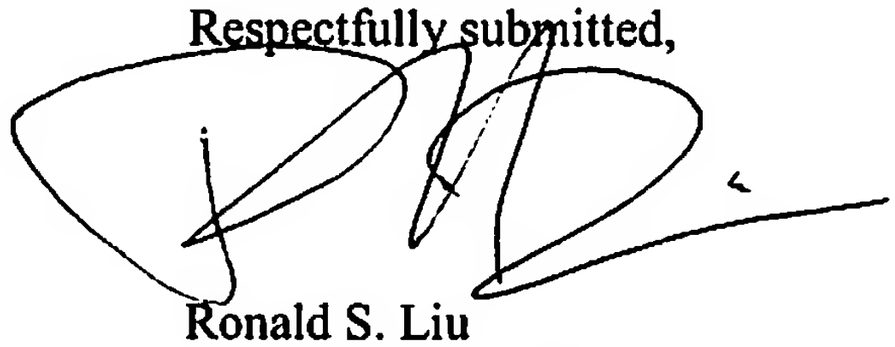
Page 4 of the Office Action cites "paragraph 1283, *Bowman*" as support for the rejection of Claim 50. Applicants are unable to locate any such paragraph "1283" within the entirety of *Bowman*. Applicants note that Claims 28-29, 32-40, and 42-49 are rejected under 35 U.S.C. § 101, but are not rejected under any other section of 35 USC. Applicants presume that Claims 28-29, 32-40, and 42-49 would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims (as they were in a prior Office Action dated February 24, 2009). As indicated in a prior Office Action Response submitted on May 26, 2009, dependent Claim 50 was created in response to the indication of allowable subject matter in the prior Office Action dated February 24, 2009. Thus, Applicants assert that dependent Claim 50 is patentable over *Bowman*. Applicants therefore respectfully request that the rejection of dependent Claim 50 be withdrawn.

CONCLUSION

In view of the amendments and remarks set forth herein, the application and the claims therein are believed to be in condition for allowance without any further examination and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned.

If any extensions of time under 37 C.F.R. § 1.136(a) are required in order for this submission to be considered timely, Applicant hereby petitions for such extensions. Applicant also hereby authorizes that any fees due for such extensions or any other fee associated with this submission, as specified in 37 C.F.R. § 1.16 or § 1.17, be charged to Deposit Account 502306.

Respectfully submitted,



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